



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

TC/A.U.: 1621

Filed: August 25, 2003

Examiner: Deborah D. Carr

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

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August 31, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a. Copies of these references were previously submitted in this application, and are therefore not being submitted with this IDS. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited. Also attached is a copy of a Japanese Patent Office Action and its English translation. This Japanese Office Action issued in one of Diffusion's Japanese patent applications (No. 2003-571422) corresponding to U.S. provisional application No. 60/358,718 and PCT/US03/05521. All of the cited documents were already identified in an Information Disclosure Statement filed July 24, 2009.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached has been considered and made of record.

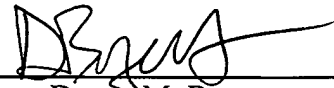
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The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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